

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

WILLIAM ROGER CLEMENS,

Plaintiff,

v.

BRIAN MCNAMEE,

Defendant.

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CIVIL ACTION NO. H-08-cv-471

MEMORANDUM AND ORDER

Before the Court is Defendant Brian McNamee's Motion to Dismiss (Doc. No. 40). Defendant contends that his allegedly defamatory statements were made in the course of a judicial proceeding. The Court requests that Defendant produce additional evidence of such proceeding, including statements from the prosecutors and investigators involved, any judicial records related to the matter, and any information showing that Defendant's communications were not voluntary. Such evidence should be submitted to the Court by November 18, 2008.

IT IS SO ORDERED.

SIGNED at Houston, Texas, on this the 7th day of November, 2008.



KEITH P. ELLISON
UNITED STATES DISTRICT JUDGE

**TO ENSURE PROPER NOTICE, EACH PARTY WHO RECEIVES
THIS ORDER SHALL FORWARD A COPY OF IT TO EVERY**

**OTHER PARTY AND AFFECTED NON-PARTY EVEN THOUGH
THEY MAY HAVE BEEN SENT ONE BY THE COURT.**